

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

HASSAN SABREE, by his mother and
next friend, Hana Sabree;
CATHERINE MEADE, by her father
and next friend, Robert A. Meade;
JOSEPH FRAZIER, by his mother and
next friend, Patricia Frazier,
for themselves and all others
similarly situated,

Plaintiffs,

v.

FEATHER O. HOUSTOUN, in her
official capacity as Secretary of
the Department of Public Welfare
of the Commonwealth of
Pennsylvania,

Defendant.

Civil Action No. 02-CV-3426

Class Action

**UNCONTESTED MOTION FOR LEAVE TO FILE REPLY
TO DEFENDANT'S MEMORANDUM OF LAW IN OPPOSITION
TO PLAINTIFFS' MOTION FOR CLASS CERTIFICATION**

Pursuant to Local Rule 7.1(c), Plaintiffs, through their next friends and counsel, submit this uncontested Motion for Leave to File a Reply to Defendant's Memorandum of Law in Opposition to Plaintiffs' Motion for Class Certification. In support of this Motion, Plaintiffs state as follows:

1. Plaintiffs filed a Motion for Class Certification on June 28, 2002.

2. Defendant filed a Memorandum of Law in opposition to Plaintiffs' class certification motion on October 15, 2002.

3. One of the primary arguments raised by Defendant in opposition to class certification is that the class, as defined, is not adequately connected to the claims that Plaintiffs assert.

Plaintiffs seek leave to file a short reply to address that argument by re-defining the class and to address the other issues raised by Defendant. Plaintiffs' Reply is submitted with this Motion.

4. Defendant's counsel has authorized the undersigned to represent that Defendant does not object to the filing of a reply brief with the understanding that Plaintiffs will not object to any further reply by Defendant to address the re-defined class.

Respectfully submitted,

Dated: October 22, 2002

By:

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ORDER

Upon consideration of the Uncontested Motion for Leave to File a Reply to Defendant's Memorandum of Law in Opposition to Plaintiffs' Motion for Class Certification, it is hereby ORDERED on this _____ day of _____, 2002 as follows:

1. The Motion is GRANTED.
2. The Clerk is directed to file the Reply submitted with the Motion.

The Honorable Herbert J. Hutton
United States District Judge

CERTIFICATE OF SERVICE

I, Ilene W. Shane, hereby certify that true and correct copies of the Uncontested Motion for Leave to File a Reply to Defendant's Memorandum of Law in Opposition to Plaintiffs' Motion for Class Certification and proposed Order were served on the following by first class mail, postage prepaid on October 22, 2002:

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